



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Stephen MARTONE

Serial No.: 10/572,188

Filed: December 12, 2006

For: BRAIDED MINIMALLY
INVASIVE CHANNEL

Examiner: Jenner Yeh

Mail Stop: Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

ELECTION

Sir:

This is in response to the United States Patent and Trademark Restriction Office Action mailed March 24, 2009, which response is being made on or before May 24, 2009, and for which a one month extension of time fee is due.

Applicants hereby elect **Group I**, namely Claims 1-34 and 41-48, drawn to a probe assembly.

With respect to the species requirements, Applicants select:

Species A: A braided tube with strands that are free to move relative to each other.

It is believed that claims 1-12, 15-17, 18-23, 25, 27-34, 41-44 and 45-47 are readable on the elected species.

Applicants reserve the right to file, at a later date, additional divisional applications claiming priority from the present application which are directed to the non-elected Group.

Respectfully submitted,

Respectfully submitted,
Martin D. Mopenka

**Martin D. Moynihan
Registration No. 40.338**

Date: May 4, 2009